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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

LIBERTY MUTUAL INSURANCE COMPANY,	)	Case No. C 06 2022 CW
Plaintiff,	)	<b>[PROPOSED] JUDGMENT</b>
vs.	)	
MICHAEL T. BLATT,	)	
Defendant.	)	

The above-entitled case came before the Court on plaintiffs' Motion for Summary Judgment and Summary Adjudication on certain issues. On October 26, 2007 Samuel Conti, District Court Judge presiding, denied plaintiffs' Motion for Summary Judgment and Granted in Part and Denied in Part plaintiffs' Motion for Summary Adjudication. The Court found that there were three issues remaining to be decided by the trier of facts, but subsequently indicated from the bench on January 11, 2008 that the ruling was not "set in concrete."

On March 4, 2008 at the Pre-Trial Conference before Claudia Wilkins, District Court Judge presiding, the Court held that the Stipulated Facts for Trial resolved all remaining issues after the October 26, 2007 Order of Judge Conti. The court chose not to consider other issues raised by plaintiff at the time of the hearing, including a reconsideration of Judge Conti's ruling in light of the stipulated facts negotiated



1 between the parties.

2 After consideration of the issues and the Stipulated Facts for Trial, IT IS  
3 ORDERED, ADJUDGED AND DECREED:

4 1. That Plaintiff Liberty Mutual shall recover from Defendant Michael  
5 Blatt the sum of \$1,582.50, together with pre-judgment interest at the rate of ten  
6 percent per annum from September 10, 2004 or \$0.43 per day ( $\$1,582.50 \times .10 =$   
7  $\$158.25/365 = \$0.43$ ), until the judgment is paid.

8 2. That Plaintiff Liberty Mutual shall recover from Defendant Michael  
9 Blatt the sum of \$7,304.21, together with pre-judgment interest at the rate of ten  
10 percent per annum from June 1, 2004, or \$2.00 per day ( $\$7,304.21 \times .10 =$   
11  $\$730.42/365 = \$2.00$ ), until the judgment is paid.

12 3. That Plaintiff Liberty Mutual shall recover from Defendant Michael  
13 Blatt the sum of \$836.75, together with pre-judgment interest at the rate of ten  
14 percent per annum from July 12, 2004, or \$0.23 per day ( $\$836.75 \times .10 = \$83.68/365$   
15  $= \$0.23$ ), until the judgment is paid.

16 4. That Plaintiff Liberty Mutual shall recover from Defendant Michael  
17 Blatt the sum of \$884.23, together with pre-judgment interest at the rate of ten  
18 percent per annum from August 18, 2004, or \$0.24 per day ( $\$884.23 \times .10 =$   
19  $\$88.42/365 = \$0.24$ ), until the judgment is paid.

20 5. In sum, Liberty Mutual shall recover from Defendant Michael Blatt the  
21 total principle sum of \$10,607.69 (Items 1-4, above) with pre-judgment interest at the  
22 rate of ten percent per annum from the dates set forth in Items 1-4, above.

23 6. Plaintiff Liberty Mutual shall recover costs from defendant Michael  
24 Blatt.

25  
26 DATED: \_\_\_\_\_

\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT

**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF ORANGE

I, the undersigned, am employed in the County of Orange, State of California. I am over the age of eighteen (18) years and not a party to the within action. My electronic mail address is mbennett@kringandchung.com. The document was served electronically and the transmission was reported as complete and without error.

On June 19, 2008 at approximately 10:50 p.m., I served true copies of the foregoing document(s) described as **[PROPOSED] JUDGMENT** on the interested parties in this action, addressed as follows:

**Attorneys for Michael Blatt**

Ronald D. Foreman, Esq.  
rdf@foremanandbrasso.com

☒ BY E-MAIL: By transmitting a true copy of the foregoing document(s) to the e-mail address listed above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 19, 2008, at Irvine, California.



MICHELLE BENNETT